

Notice of Allowability

Application No.

09/864,510

Examiner

Ralph A. Lewis

Applicant(s)

MURPHY ET AL.

Art Unit

3732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Attached Examiner's Amendment.
2. ☒ The allowed claim(s) is/are 254-261, 278-285, 302-309, 318-326, 328-334, 337-341, 372-401, 410-421, 423-426, 430, 432-482, 484 and 485.
3. ☒ The drawings filed on 17 August 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 04132005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


 Ralph A. Lewis
 Primary Examiner
 AH3732

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Eric Meyertons on April 21, 2005.

In the specification, page 2 (as identified by applicant), paragraph "[0001]" has been replaced with the following updated paragraph:

-- [0001] This invention claims the benefit of U.S. Provisional Application Serial No. 60/272,073 filed on February 28, 2001 and is also related to U.S. Application Serial Nos. 09/864,503 now U.S. Patent 6,702,763, 09/864,793, and 09/864,794 now U.S. Patent 6,681,773, all of which were filed on May 24, 2001. --

Claims 246-253, 262-277, 286-301, 310-317, 327, 335, 336, 342-371, 402-409, 422, 427-429, 483 and 486-571 have been cancelled.

In claim 410, line 1, the dependency has been changed from "402" to - - 278 - -.

In claim 411, line 1, the dependency has been changed from "402" to - - 278 - -.

In claim 412, line 1, the dependency has been changed from "402" to - - 278 - -.

In claim 413, line 1, the dependency has been changed from "402" to - - 278 - -.

In claim 414, line 1, the dependency has been changed from "402" to - - 278 - -.

In claim 415, line 1, the dependency has been changed from "402" to - - 278 - -.

In claim 416, line 1, the dependency has been changed from "402" to - - 278 - -.

In claim 417, line 1, the dependency has been changed from "402" to - - 278 - -.

In claim 418, line 1, the dependency has been changed from "402" to - - 278 - -.

In claim 419, line 1, the dependency has been changed from "402" to - - 278 - -.

In claim 420, line 1, the dependency has been changed from "402" to - - 278 - -.

In claim 421, line 1, the dependency has been changed from "402" to - - 278 - -.


In claim 423, line 1, the dependency has been changed from "402" to - - 278 - -.

In claim 424, line 1, the dependency has been changed from "402" to - - 278 - -.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication should be directed to **Ralph Lewis** at telephone number **(571) 272-4712**. Fax (703) 872-9306. The examiner works a compressed work schedule and is unavailable every other Friday. The examiner's supervisor, Kevin Shaver, can be reached at (571) 272-4720.

R.Lewis
May 2, 2005


Ralph A. Lewis
Primary Examiner
Au 3732